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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE duction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMS control number. Complete if Known 1449/PTO Application Number 10/658,105 Filing Date September 9, 2003 INFORMATION DISCLOSURE First Named Inventor James E. Toney STATEMENT BY APPLICANT Art Unit 2873 (Use as many sheets as necessary) **Examiner Name** Attorney Docket Number | BAT 0063 PA/40078.243

Sheet

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
	ļ	Number-Kind Code <sup>2</sup> (7 Mount)	<u> </u>		CLASS / SUBCLAS
<u>2-C</u>		US- 5,335,240	08/02/1994	Ho et al.	372/39
<u> </u>		<sup>US-</sup> 5,406,573	04/11/1995	Ozbay et al.	772 142 _
		US- 5,440,421	08/08/1995	Fan et al.	359/245
		US- 5,600,483	02/04/1997	Fan et al.	359/245
		US- 5,740,287	04/14/1998	Scalora et al.	385/6
		<sup>US-</sup> 5,784,400	07/21/1998	Joannopoulos et al.	272/96
		<sup>US-</sup> 5,973,823	10/26/1999	Koops et al.	359/322
		US- 5,998,298	12/07/1999	Fleming et al.	438/692
		<sup>US-</sup> 6,042,998	03/28/2000	Brueck et al.	420/316
		US- 6,058,127	05/02/2000	Joannopoulos et al.	372/92
		<sup>US-</sup> 6,075,640	06/13/2000	Nelson	359/239
	Ī —	US- 6,101,300	08/08/2000	Fan et al.	385/27
		US- 6,134,043	10/17/2000	Johnson et al.	359/237
		US- 2001/0019565 A1	09/06/2001	Iwasaki et al.	372/39
		<sup>US-</sup> 2002/0009277 A1	01/24/2002	Noda et al.	385/130.
		US- 6,388,795	05/14/2002	Fleming et al.	359/240
	1	US- 6,392,787	05/21/2002	Cirelli et al.	359/321
1		US- 6,396,617	05/28/2002	Scalora	359/248
V	1	US- 6,448,997	09/10/2002	Koide	347/250

		FORE	IGN PATENT DOC	JMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
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Complete if Known Application Number 10/658,105 Filing Date September 9, 2003 First Named Inventor James E. Toney Art Unit 2872 Examiner Name Attorney Docket Number BAT 0063 PA/40078.243

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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U. S. PATENT DOCUMENTS Pages, Columns, Lines, Where Examiner Cite **Document Number Publication Date** Name of Patentee or Applicant of Cited Document Relevant Passages or Relevant No. MM-DD-YYYY Initials\* Number-Kind Code<sup>2</sup> (7 known) SUBCLASS US- 2003/0031438 A1 02/13/2003 Kambe et al. US- 2003/0043870 A1 03/06/2003 Shchukin et al. US- 6,560,006 05/06/2003 Sigalas et al. us-US US-US-US-US-US-US-US-US-US √s. US-US-

		FOREIG	N PATENT DOCU	MENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	76
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ber		SATO et al.; 3-D Photonic-Crystal Heterostructures: Fabrication and In-Line Resonator; IEEE Photonics Technology Letters; June 2003; pgs. 816 - 818; Vol. 15, No. 6.	-
we	J	JOHN et al.; Photonic Band Gap Materials: A Semiconductor for Light; pgs. 1-23.	
LL	V	FAN et al.; Channel Drop Filters in Photonic Crystals; Optics Express; July 1998; pgs. 4 - 11; Vol. 3, No. 1.	
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Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
	ļ	Number-Kind Code <sup>2</sup> (F Anount)			CLASS/SUBLIA
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WCr		WO 98/53350 A	11/26/1998	Deutsche Tekekom AG		
ۍ.پر		WO 01 77726 A	10/18/2001	BTG International Ltd.		
ین		EP 0 953 853 A	11/03/1999	Shin-Etsu Handotai Co.		
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wc.		GADOT F. et al.; Transmission Resonances in Ultra-Wideband Composite Metallic Photonic Crystals; Electronic Letters, IEE Steveage; GB; Vol. 35, No. 6; 18 March 1999; pps. 478-480	
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